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Attorneys for Defendants,

BRIDGE METAL INDUSTRIES, LLC,

JOSEPH MESSA, and BLAISE FREDELLA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL LIGHTING COMPANY, INC., a)
New Jersey Corporation,)
Plaintiff,)
vs.)

Civil Case No. 08-3150(NRB)
ECF CASE

BRIDGE METAL INDUSTRIES, LLC, a New)
York Limited Liability Company; JOSEPH)
MESSA, an individual; GALAXY SWITCHGEAR)
INDUSTRIES, LLC, a New York Limited Liability)
Company; BLAISE FREDELLA, an individual;)
ISAK LEMBERG, an individual; BORIS)
BREGMAN, an individual; PICASSO LIGHTING)
INDUSTRIES LLC, a New York Limited Liability)
Company; INDEPENDENT LIGHTING, LLC, a)
New York Limited Liability Company; GREEN)
LIGHT SOLUTIONS, LLC; and MITCHELL)
BLOOMBERG, an individual,)
Defendants.)

**NOTICE OF BRIDGE METAL
INDUSTRIES, LLC'S MOTION
PURSUANT TO FED. R. CIV.
P.12(B)(6) TO DISMISS
PLAINTIFF'S AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that upon the allegations set forth in the Amended Complaint
filed by Plaintiff in this action and the exhibits attached thereto, a copy of which is attached

hereto, and the points and authorities set forth in the accompanying Memorandum of Law, Defendant Bridge Metal Industries, LLC shall move this Court before the Honorable Naomi Reice Buchwald, United States District Judge, at the United States District Courthouse, 500 Pearl Street, Room 2270, New York, New York 10007 on the date and time set by the Court, for dismissal of this action with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted and, as to the state law based claims, pursuant to the Section 1312 of the New York Business Law. Defendant also seeks such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Scheduling Memorandum entered by the Court on June 16, 2008, opposition papers, if any, are to be served by August 18, 2008, and Defendant's reply brief must be served by September 5, 2008.

Dated: July 18, 2008
Hackensack, New Jersey

PASHMAN STEIN, P.C.
By: /s/ Sean Mack
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LLC, JOSEPH MESSA and BLAISE
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Lighting Industries LLC, Independent Lighting LLC, Green Light Solutions, LLC, and
Mitchell Bloomberg

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LIGHT SOLUTIONS, LLC; and MITCHELL)
BLOOMBERG, an individual,)
Defendants.)

**CERTIFICATION OF SEAN
MACK IN SUPPORT OF
DEFENDANT BRIDGE METAL
INDUSTRIES, LLC'S MOTION
PURSUANT TO FED. R. CIV.
P.12(B)(6) TO DISMISS
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COMPLAINT**

I, SEAN MACK, certify as follows:

1. I am a member of the law firm of Pashman Stein, P.C., counsel for defendants Bridge Metal Industries, LLC, Blaise Fredella and Joseph Messa in this matter.

2. On July 15, 2008, I conducted a search of the Corporation and Business Entity Database of the New York Department of State, Division of Corporations, which is available at http://appsext8.dos.state.ny.us/corp_public/corpsearch.entity_search_entry, to determine whether plaintiff is registered to do business in New York.

3. I entered the name of plaintiff, National Lighting Company, Inc., into the search engine and the results report stated that "No business entities were found" under that name.

4. Attached hereto as exhibit A are the printouts from that search and the results I obtained.

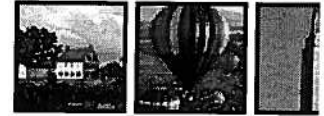
5. I have also reviewed the results obtained from CSC by David Rosenberg, counsel for other defendants in this matter, which also confirm that plaintiff has no record of having registered to do business in the state of New York. Those results are attached to the certification of David Rosenberg, which is being filed in this matter.

I certify under penalty of perjury of the laws of the United States of America that the foregoing statements are true.

Dated: July 18, 2008
Hackensack, New Jersey


SEAN MACK

Exhibit A



Department of State

Division of Corporations

Search Our Corporation and Business Entity Database

The Corporation and Business Entity Database includes business and not for profit corporations, limited partnerships, limited liability companies and limited liability partnerships, as well as other miscellaneous businesses. This information is best viewed with Netscape Navigator 7.0 and above or Internet Explorer 6.0 and above. Please note that the database does not include corporate or other business entity assumed names filed pursuant to General Business Law, §130. Assumed name filings are filed and maintained by the Division of Corporations for corporations, limited liability companies and limited partnerships. Although maintained by the Division of Corporations, searches of records of assumed names used by corporations, limited liability companies and limited partnerships must be made by a written, faxed or e-mail request to the Division. All other entities such as general partnerships, sole proprietorships and limited liability partnerships file an assumed name certificate directly with the county clerk in each county in which the entity conducts or transacts business.

Every effort has been made to ensure that the information contained on this site is up to date and accurate. As the Department relies upon information provided to it, the information's completeness or accuracy cannot be guaranteed. If you have any questions about performing a search or the results you receive, please contact the NYS Department of State, Division of Corporations at (518) 473-2492, Monday - Friday, 8:30 a.m. - 4:30 p.m.

The information contained in this database is current through July 14, 2008.

Search Criteria

Entity Name *
Name Type * ☐ Active Only ☐
Search Type * ☐ Contains ☐
The items marked with * are required.

To search the database do the following:

1. Enter the Corporation or Business Entity Name being searched for.

2. Select a Name Type.
3. Select a Search Type.
4. Tab to Search the Database and press the enter key or click Search the Database.

Additional Search Instructions

[Division of Corporations, State Records and UCC Home Page](#) [NYS Department of State Home Page](#)

NYS Department of State

Division of Corporations

Informational Message

No business entities were found.

Please refine your search criteria.

To continue please do the following:

Tab to Ok and press the Enter key or Click Ok.

Ok

[Division of Corporations, State Records and UCC Home Page](#) [NYS Department of State Home Page](#)